

**South Coast Air Quality  
Management District  
21865 E. Copley Drive  
Diamond Bar, California 91765**

**April 20, 2002**

**Mr. Barry Wallerstein  
Executive Officer**

**Ms. Kathy Stevens  
Planning-CEQA**

**Re: Ultramar, Inc. - SCH No. 2000061113  
Su: Opposition to Draft Subsequent Environmental Impact Report  
and Issuance Of Permit to Ultramar, Inc.**

**I am a 87 year old Senior Citizen and have heard about the Draft Subsequent Environmental Impact Report regarding SCAQMD's proposal to issue a permit to Ultramar, Inc. and I am against any further expansion of a refinery in Wilmington.** 23-1

**There are too many people sick with asthma, bronchitis and other respiratory problems caused by air pollution. I want less air pollution not more. I want 100% clean air and no minimum standard of pollution.** 23-2

**SCAQMD or Ultramar, Inc. did not hold a Public Hearing in Wilmington so that we could provide public comment and ask questions.** 23-3

**I request that a Public Hearing be held in Wilmington so that we can assess the correct and accurate environmental impact on our community. I request that we be given another 45 days after the Public Hearing for additional public comment.** 23-4

**Sincerely,**



**Mrs. Rosie Villa  
136 West Lomita Blvd.  
Wilmington, California 90744**

**COMMENT LETTER NO. 23**  
**LETTER FROM MRS. ROSIE VILLA**

April 20, 2002

**Response 23-1**

Your opinion regarding the Ultramar proposed project is noted.

**Response 23-2**

There is no question that poor air quality can exacerbate respiratory problems such as asthma. The SEIR discloses that the proposed project is expected to generate significant adverse regional air quality impacts, which could affect sensitive populations, especially those with respiratory problems. No localized air quality impacts, however, were identified for the proposed project. As a result, the SEIR fulfills the letter and intent of CEQA, i.e., to disclose information on potential adverse impacts to the public.

It is not clear what is meant by the statement that "I want 100% clean air." Air emissions are associated with all aspects of daily life including driving a car, using a stove and generating hot water (combustion of natural gas), turning on electrical appliances (generating electricity), and painting a house. Mobile sources (such as vehicles, trucks, ships, and airplanes) generate a major portion of the air emissions in the South Coast Air Basin. There are also natural sources of emissions including animals, naturally occurring hydrocarbons, methane gas, etc.

It is the goal of the SCAQMD and CARB to comply with the state and federal ambient air quality standards. The emissions from stationary sources are generally controlled by the SCAQMD. Mobile emissions are generally controlled by CARB. The emissions from stationary sources are controlled through rules, regulations and the use of Best Available Control Technology (BACT). BACT, by definition, is control equipment with the lowest achievable emission rate. The use of BACT controls emissions to the greatest extent feasible for the new and modified emission sources. In addition, the fugitive components will be required to be included in an inspection and maintenance program, as required by SCAQMD Rule 1173, to ensure that the equipment is properly maintained. BACT will be imposed on all new and modified equipment associated with the proposed project.

Further, the proposed project is to comply with the CARB Phase 3 reformulated fuel requirements. Compliance with these requirements is expected to result in a decrease in emissions associated with vehicles that use the fuel, including a decrease in toxic air contaminants, thus providing air quality benefits to the area.

### **Response 23-3**

CEQA does not require that a public hearing be held as part of the CEQA process for a proposed project. CEQA Guidelines §15202 states in part “CEQA does not require formal hearings at any stage of the environmental review process. Public comments may be restricted to written communication” (CEQA Guidelines §15202). At a meeting with Mr. Marquez on April 23, 2002 at the SCAQMD headquarters, the SCAQMD’s Executive Officer agreed to hold a public meeting on the proposed project in the Wilmington community on June 20, 2002. The meeting focused on the Draft SEIR for the proposed project and SCAQMD responses to comments on the Draft SEIR. Further, a town hall meeting was held in Wilmington on July 31, 2002 to obtain additional input from the Wilmington community on air quality issues, including Ultramar’s proposed project, and the proposed environmental justice enhancements.

### **Response 23-4**

See Response 23-3 regarding the public meeting. The request for a public hearing and an extension of the public comment period was considered. Although Governor Davis has extended the date one-year for MTBE phase-out, the project has not changed since the Draft SEIR was released for public review, and it is still necessary to move forward with the proposed project as quickly as possible for a number of reasons. First, the currently proposed project is in response to unexpected contingencies faced by Ultramar that threatened to compromise its ability to meet the original phase-out deadline. Second, given the engineering complexities of the previously proposed project components of Ultramar’s CARB Phase 3 project, as well as the currently proposed components, Ultramar must still proceed expeditiously to comply with the new CARB Phase 3 requirements and deadlines. Third, it is anticipated that the petroleum industry will move forward with the MTBE phase-out ahead of the revised compliance schedule because of the environmental problems associated with MTBE. Because Ultramar relies on third party distribution systems, it will be necessary for Ultramar to comply with the industry imposed phase-out date which may be different from the state imposed phase-out date.

The Ultramar Draft Supplemental EIR document has been available for immediate public review and download from the SCAQMD’s web site since March 8, 2002 ([www.aqmd.gov/ceqa/documents/2002/nonaqmd/ultramar/draft/ultDEIRhtml](http://www.aqmd.gov/ceqa/documents/2002/nonaqmd/ultramar/draft/ultDEIRhtml)).

In light of the above information, extending the public review period for this document would not serve the public’s interest to expeditiously provide cleaner-burning gasoline and phase-out the use of MTBE to eliminate the possibilities of future ground water contamination by this chemical. As a result, extending the public comment period will not be considered further. It should be noted that the SCAQMD responded to and considered all written comments on the Draft EIR, including those received after the close of the public comment period, and considered comments from the public made at the June 20, 2002 public meeting.

It should be noted, however, that if it can be determined that the SCAQMD has not complied with any substantive or procedural CEQA requirement during the public comment period for the proposed project that ended April 22, 2002, the problem will be corrected and the Draft SEIR will be recirculated for a second 45-day public comment period. To date, the SCAQMD has evaluated

assertions of impropriety, but has not discovered any such problems and, therefore, will proceed with finalizing the CEQA document for the proposed project.